



**Maplewood Police Department  
Body Worn Camera (BWC) Background Information  
And  
Overview of Key Policy Provisions**

**General BWC Background Information**

- Maplewood PD has had a three camera Body Worn Camera (BWC) demonstration project, which began in April of 2014.
- In February of 2015, Maplewood PD posted a short web-based BWC survey on its social media platforms, which resulted in more than 400 survey responses.
  - 97% of respondents said they were aware that an increasing number of law enforcement agencies across the US were or were planning to use body cameras to document police interactions with members of the public.
  - 66% of respondents said they believed use of body cameras could help improve police community relations, and 23% said body cameras would not make a difference.
  - 60% of respondents said they think police body camera footage from the inside of their home should be private, except to them (as the data subject), and 30% said the video should be available to anyone who asks to see it.
- Maplewood PD has requested a 2017 budget allocation of nearly \$130,000 to purchase and fully implement a BWC program.
- The cost to acquire the body worn cameras is approximately \$30,000.
- The annual cost of the 65 licenses (includes and non-sworn Records Unit and Evidence Management staff), cloud-based data storage, prosecutor access licenses, warranty, system access tracking, and data management application is about \$97,000 annually, over the next five years.
- The above cost includes unlimited BWC data storage, storage of the department's other digital evidence, including, squad video, still photography, and audio statements. The plan also includes the replacement of the department's 60 electronic incapacitation weapons (Tasers).

## **Overview of Key Policy Provisions (as proposed)\*\***

### **When will body cameras be used?**

- Officers shall activate their BWCs when responding to all calls for service and during all law enforcement-related encounters and activities, including but not limited to pursuits, investigative stops of motorists and pedestrians, arrests, searches, suspect interviews and interrogations, and during any police/citizen contacts that becomes adversarial. However, officers need not activate their cameras when it would be unsafe, impossible, or impractical to do so, but such instances of not recording when otherwise required must be thoroughly documented.

### **Are officers required to obtain consent?**

- Officers have no affirmative duty to inform people that a BWC is being operated or that they are being recorded. Officers may elect to notify people they encounter that a BWC is being operated if it is felt that doing so may de-escalate an encounter. If asked, officers are required to provide a factual response about recording.

### **When can an officer turn their BWC off?**

- Once activated, the BWC should continue recording until the conclusion of the incident or encounter, or until it becomes readily apparent that additional recording is unlikely to capture information having evidentiary value. In an incident where a sergeant or investigator has charge of a scene, he/she shall direct the discontinuance of recording when further recording is unlikely to capture additional information having evidentiary value. For purposes of creating a complete record of use, officers are strongly encouraged to state the reasons for ceasing the recording on camera before deactivating their BWC. If circumstances change, officers shall reactivate their cameras as required by this policy to capture information having evidentiary value.

### **When can officers access the BWC data they collect?**

- Access to BWC data shall be limited to the employee who captured the video, supervisory personnel and command level personnel, along with others deemed by the chief of police to have “need to know” or “need to access,” such as case investigators and Records Unit personnel. In addition: BWC video shall be available to approved personnel within the offices of the Maplewood City Attorney and Ramsey County Attorney’s Office. Prosecutors or their designee may authorize protected access to specific cases with BWC video.

### **Can officers review BWC footage when they are the subject of an internal investigation?**

- Officers may access and view stored BWC video only when there is a business need for doing so, including the need to defend against an allegation of misconduct or substandard performance.

### **Can an officer review the BWC footage to help them prepare their police reports?**



- Officers may review video footage of an incident in which they were involved prior to or while preparing a police report, including an incident resulting in “substantial bodily harm” (1), or when preparing for court testimony about an incident.

**Can officers watch BWC video prior to talking the investigators when they were involved in an incident that resulted in “great bodily harm” or Death to a person?**

- Unless otherwise approved by the chief of police, the investigating authority, and the prosecuting authority, in the event of a critical incident resulting in great bodily harm (2), or death, officers are prohibited from reviewing BWC footage prior to giving a voluntary statement.

**Can a data subject give consent for another person, entity, or organization to obtain a copy of the video of an interaction they had with an officer?**

- It shall be the policy of the department to freely provide BWC data to any individual, group, or entity representing the BWC data subject upon receipt of a notarized request from the data subject for the BWC footage.

**Will supervisors or department administrators review officer’s BWC footage to ensure compliance with policy and to maintain quality control?**

- At least two times per month, supervisors will randomly review BWC recordings made by each officer they supervise to ensure the equipment is operating properly and officers are using the devices appropriately in accordance with policy, and to identify any performance areas in which additional training or guidance is required. Supervisors shall document the date of their review and the name of each officer whose video footage was reviewed. Sergeants and commanders will submit documentation of their review to their respective command level supervisor. Any noted non-compliance with the departmental policy pertaining to BWC use shall also be reported to the chief of police.

**How long will non-evidentiary BWC footage be held before it is deleted?**

- BWC footage that is classified as non-evidentiary, or becomes classified as non-evidentiary, shall be retained for a minimum of 90 days following the date of capture. If information comes to light indicating that non-evidentiary data has evidentiary value or value for training, it may be reclassified and retained for a longer period.

**What will happen if it is determined an officer is not in compliance with the department’s body worn camera policy?**

- Any member of the Maplewood Police Department who is deemed to be non-compliant with or in violation of this policy may be subject to disciplinary action, up to and including, termination and criminal prosecution.

**\*\* Proposed policy provisions are subject to change before final adoption.**

1. **Substantial bodily harm.** "Substantial bodily harm" means bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily member or organ, or which causes a fracture of any bodily member (Minnesota Statute 602.02, Subd. 7a).



2. **Great bodily harm.** "Great bodily harm" means bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm (Minnesota Statute 609.02, Subd, 8).

